

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Sergei Fowler Marchant

Docket No. 5:11-CR-101-1BO

Petition for Action on Supervised Release

COMES NOW Keith W. Lawrence, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Sergei Fowler Marchant, who, upon an earlier plea of guilty to Count 1- Conspiracy to Commit Bank Fraud, in violation of 18 U.S.C. §§ 1349 and 1344 and Count 2-Aggravated Identity Theft, in violation of 18 U.S.C. § 1028A, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on December 8, 2011, to the custody of the Bureau of Prisons for a term of 25 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 24 months under the standard conditions adopted by the court. Sergei Fowler Marchant was released from custody on November 22, 2013, at which time the term of supervised release commenced. On December 9, 2013, as a result of the defendant testing positive for cocaine on November 25, 2013, the court modified his conditions of supervised release to include a drug aftercare condition.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On November 13, 2014, the defendant submitted a urine specimen which tested positive for cocaine. As a sanction for this conduct, and in an effort to deter future drug use, we would respectfully recommend that his supervised release be modified to include 60 days of home detention. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision. Furthermore, Marchant has been referred to substance abuse treatment and we will continue to monitor his substance abuse through the Surprise Urinalysis Program.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed 60 consecutive days. The defendant shall be restricted to his residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

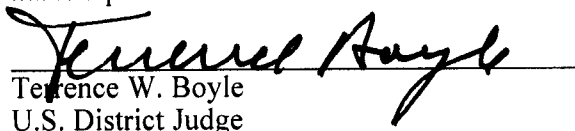
/s/ Robert L. Thornton
Robert L. Thornton
Supervisory U.S. Probation Officer

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Keith W. Lawrence
Keith W. Lawrence
Senior U.S. Probation Officer
310 Dick Street
Fayetteville, NC 28301-5730
Phone: (910) 483-8613
Executed On: November 18, 2014

ORDER OF COURT

Considered and ordered this 18 day of November, 2014, and ordered filed and made a part of the records in the above case.


Terrence W. Boyle
U.S. District Judge